

REAL ESTATE REGULATORY AUTHORITY, BIHAR

2 nd Floor, BSNL Telephone Exchange, North Patel Nagar, Road No. 10, Patna -800023

Hearing before the Double Bench of Hon'ble Chairman, Mr. Naveen Verma,

& Hon'ble Member, Mrs. Nupur Banerjee

Case No.:-RERA/CC/1435/2020

Priyanka Kumari.....Complainant

Vs

M/s Agrani Homes Real Marketing Pvt. Ltd.....Respondent

Project: Agrani PG Town- Block A

04.02.2022

O R D E R

This matter was last heard before Double Bench along with the batch cases on 20.01.2022.

The case of the complainant is that she booked flat no. 204, in Block A of PG Town by paying Rs. 14,37,000/- under onetime scheme in various instalments on different dates. The complainant has submitted that till date neither the development work has been commenced nor the aforesaid project is registered with RERA. Since no construction work has been done, the complainant has cancelled her booking and requested for refund of amount paid but the respondent has not refunded the said amount till date. Hence the complainant has filed the case seeking relief for refund of the amount paid along with interest.

The complainant has placed on record copy of cancellation letter dated 21.08.2020, copy of MOU executed on 14.06.2017, copies of receipt bearing no. 1831 for Rs. 1,87,000/- issued on 04.02.2017 (paid via cheque bearing no. 022825 of

Bank of Maharashtra dated 03.02.2017), receipt bearing no. 1832 for Rs. 1,50,000/- issued on 04.02.2017 (paid via cheque bearing no. 001726 of SBI dated 03.02.2017), receipt bearing no. 1797 for Rs. 4,00,000 /- issued on 12.01.2017 (paid via cheque bearing no. 107517 of United Bank of India dated 11.01.2017), receipt bearing no. 1788 for Rs. 3,00,000/- issued on 09.01.2017 (paid via cheque bearing no. 266023 of United Bank of India dated 06.01.2017), receipt bearing no.1787 for Rs. 3,00,000 /- issued on 09.01.2017 (paid via cheque bearing no. 107515 of United Bank of India dated 07.01.2013), receipt bearing no. 1763 for Rs. 1,00,000/- issued on 30.12.2016 (paid via cheque bearing no. 002824 of Bank of Maharashtra dated 02.01.2016).

No rejoinder has been filed by the respondent. However, on the last date of hearing dated 20.01.2022, the complainant was represented by her relative Mr. Abhishek Kr. and he submitted that since the relief sought was for refund of the deposited money with interest, he prayed that he would forego the claim on interest if refund of principal amount is made within 30 days. The Bench directed the complainant to make the submission in writing which was complied and the same was submitted on 25.01.2022. Mr. Alok Kumar, MD of the respondent company submitted that he is ready to refund the principal amount within 30 days.

The Bench takes note of the oral and written submission of the complainant and hereby directs the Respondent Company and its Directors to refund the amount of Rs. Rs. 14,37,000/- to the complainant within 30 days that is, by 21.02.2022 failing . If the respondent company does not refund the entire amount by that date, they would have to pay interest calculated at marginal

cost of lending rate (MCLR) as applicable for three years from the date of deposit to the date of refund within sixty days of issue of this order.

With these observations and directions, the matter is disposed of.

Sd/-

Nupur Banerjee
(Member)

Sd/-

Naveen Verma
(Chairman)